

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,
Plaintiff,

v.

AMERISOUCEBERGEN DRUG CORPORATION, *et al.*
Defendants

Civil Action No. 3:17-01362

CABELL COUNTY COMMISSION,
Plaintiff,

v.

AMERISOUCEBERGEN DRUG CORPORATION, *et al.*
Defendants

**PLAINTIFFS' UNDER SEAL APPENDIX OF EXHIBITS 2, 6, 14, AND 16 IN
SUPPORT OF OPPOSITION TO DEFENDANTS' *DAUBERT* MOTION TO
EXCLUDE THE OPINIONS OF JAMES E. RAFALSKI**

October 23, 2020

This Appendix consists of the attached Exhibit 2 (excerpts from the transcript of the deposition of Dr. Craig McCann, conducted on September 1, 2020), Exhibit 6 (excerpts from the transcript of the deposition of Christopher Zimmerman, conducted on August 3, 2018), Exhibit 14 (the transcript of the deposition of James Rafalski, conducted on September 11, 2020) and Exhibit 16 (DEA Update Notes from a meeting with DEA Office of Diversion Control Chief Mark Caverly (MNK-T1_0008504654)). These materials are filed under seal.

Dated: October 23, 2020

Respectfully submitted,

THE CITY OF HUNTINGTON

CABELL COUNTY COMMISSION

/s/ Anne McGinness Kears

Anne McGinness Kears
WVSB No. 12547
Joseph F. Rice
MOTLEY RICE LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29464
Tel: 843-216-9000
Fax: 843-216-9450
akearse@motleyrice.com
jrice@motleyrice.com

/s/ Anthony J. Majestro

Anthony J. Majestro
WVSB No. 5165
POWELL & MAJESTRO, PLLC
405 Capitol Street, Suite P-1200
Charleston, WV 25301
304-346-2889 / 304-346-2895 (f)
amajestro@powellmajestro.com

/s/ Peter J. Mougey

Peter J. Mougey, Esq.
LEVIN, PAPANTONIO, THOMAS
MITCHELL, RAFFERTY & PROCTOR, P.A.
316 South Baylen Street, Suite 600
Pensacola, FL 32502-5996
Telephone: (850) 435-7068
Facsimile: (850) 436-6068
pmougey@levinlaw.com

/s/ Paul T. Farrell, Jr.

Paul T. Farrell, Jr.
WVSB No. 7443
FARRELL LAW
422 Ninth Street, 3rd Floor
Huntington, WV 25701
Tel: (304) 654-8281
paul@farrell.law

Michael A. Woelfel
WVSB No. 4106
WOELFEL AND WOELFEL, LLP
801 Eighth Street
Huntington, West Virginia 25701
Tel. 304.522.6249
Fax. 304.522.9282
mikewoelfel3@gmail.com

Linda Singer
David I. Ackerman
MOTLEY RICE LLC
401 9th Street NW, Suite 1001
Washington, DC 20004
Tel: 202-232-5504
Fax: 202-386-9622
lsinger@motleyrice.com
dackerman@motleyrice.com

Charles R. “Rusty” Webb
WVSB No. 4782
THE WEBB LAW CENTRE, PLLC
716 Lee Street, East
Charleston, West Virginia 25301
Telephone: (304) 344-9322
Facsimile: (304) 344-1157
rusty@rustywebb.com

On the Brief:

Page A. Poerschke, Esq.
Laura S. Dunning, Esq.
LEVIN, PAPANTONIO, THOMAS
MITCHELL, RAFFERTY & PROCTOR, P.A.
316 South Baylen Street, Suite 600
Pensacola, FL 32502-5996
Telephone: (850) 435-7068
Facsimile: (850) 436-6068
ppoerschke@levinlaw.com
ldunning@levinlaw.com

CERTIFICATE OF SERVICE

I certify that on October 23, 2020, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. This filing will also be served on all parties by email to: Track2OpioidDefendants@ReedSmith.com and mdl2804discovery@motleyrice.com.

/s/ Peter J. Mougey